

Town of Hampton



*Department of Resources and
Economic Development*



**Hampton Beach Area Commission
100 Winnacunnet Road
Hampton, New Hampshire 03842
Hampton Beach Village District Meeting Room
Beach Fire Station – Second Floor
Monthly Meeting –January 22, 2015
7:00 PM**

MINUTES

In Attendance:

John Nyhan, Chairman, Town of Hampton Representative
Fran McMahon, Rockingham Planning Commission
Bob Preston, Hampton Chamber of Commerce
Bill Watson, Vice Chairman-NH Department of Transportation
Michael Housman, Operations Supervisor, DRED (Seacoast
Parks/Recreation)
Chuck Rage, Hampton Beach Village District
Dean. Merrill, Citizen at Large

Excused: Rick Griffin, Town of Hampton Representative

Absent: Rich Reniere, Hampton Beach Village District

Other: Jason Bachand, Town Planner
Anne Marchand, Secretary

Call to Order: The meeting was called to order at 7:00 p.m.

Introduction of Commissioners.

Public Comments related to Agenda Items: No Public Comment

REVIEW AND APPROVAL OF MINUTES.

MOTION: It was moved by Mr. Watson to accept the Minutes of the November 20, 2014 Meeting, as presented.

SECOND: Mr. Rage

VOTE: 7 In Favor, 0 Opposed, 1 Excused, 1 Absent

MOTION PASSED

Appointments. NH Seacoast Port Authority – Geno Marconi.

Mr. Nyhan stated he looked at different sections of the Master Plan and an area that has not had much discussion was down by the harbor. He invited Mr. Marconi to the meeting this evening to discuss issues included in the Plan. He also sent him sections of the Master Plan that highlighted the Port Authority for his review prior to the meeting. There were many recommendations in the 2002 Master Plan and implementation is under way with regard to some of those recommendations.

Mr. Marconi said he is pleased to be before the HBAC this evening and two of his favorite subjects are the Port Authority and his wife. He provided copies from a Power Point presentation which he uses when addressing people throughout the State.

He provided an overview, stating that the legal name is the Division of Ports and Harbors and is a part of the Pease Development Authority which is responsible for the management, maintenance, operation and maritime security for the operations listed below. Further, the Division of Ports and Harbors plan for the maintenance and development of the ports and tidal waters fostering and stimulating commerce and the shipment of freight through the State's Ports. As reported in the overview, responsibilities are as follow:

- The state's only deep water public access, general cargo marine terminal.
- Passenger/ferry, commercial fishing and recreational vessel facilities in Portsmouth, Rye, and Hampton Harbors. Commercial piers are the Portsmouth Commercial Fish Pier, Rye Harbor Marine Facility, and Hampton Harbor Marine Facility. Hampton Harbor has mixed used including 37 commercial fishing vessels permitted, 16 passenger vessels permitted, 9 fishing shacks, 9598 vehicles parked, 1698 vessels launched from the public ramp, 7 winter vessel storage, and retail sale of fuel.
- Permitting of moorings and placement of aids to navigation in tidal waters. Harbormasters are responsible for permitting of moorings in tidal waters, enforcement of mooring regulations, maintaining waitlists for moorings and permitting, placement and maintenance of on-federal nav-aids. Further, there are 1517 moorings in the areas adjacent to 13 communities. Hampton Harbor has 213 moorings while Seabrook Harbor has 68. There are a total of 438 commercial moorings in State tidal waters.
- Licensing of harbor, pier and docking pilots. He stated that a pilot is a licensed merchant mariner licensed by the US Coast Guard to guide vessels transiting local waters designated as the "Pilotage Area" Foreign flagged vessels and vessels over 10,000 gross tons require a federal pilot.
- Maintaining and dredging channels, harbors and anchorages with the division being the sponsoring agency for all public dredging projects. The Hampton / Seabrook anchorages are 100% the responsibility of the State of New Hampshire. Also, Federal maintenance projects are 100% Federal funds with Federal expansion projects are cost shared with New Hampshire. These projects depend on State and Federal funding.
- Establishing and maintaining Foreign-Trade Zones in New Hampshire which include the Market Street Marine Terminal, Portsmouth Industrial Park, Dover Industrial Park, Manchester Airport, and Pease International Trade port. Manufacturing subzones are Westinghouse Electric and Millipore Corporation in Jaffrey.
- Management of a Revolving Loan Fund for commercial fishermen which provides long term, low interest loans, sustainability of the industry, and gear electronics, vessels and equipment. There are currently 27 active loans and there has only been one default.

Mr. Marconi spoke to the history of the facilities stating they were built during the 1960's and until 2001 were under the supervision of the Department of Resources and Public Department. The Port Authority was merged with Pease Development Authority and it was determined the Port Authority should oversee commercial entities. There was reorganization which took time with the inventory of facilities and development of a "wish list".

He stated that, focusing on Hampton, the steel bulkhead was built in the 1960's and became corroded. The physical plant needed a prioritized list. There was restricted funding as revenues from dock fees and permits can only be used for dredging or repairs of the pier. Hampton Pier is the first major repair project. He noted that Pease Development is successful in redevelopment, but under the RSA, any revenues generated at Pease have to stay at Pease. Further, there is no operating budget from the State.

There is a dedicated fund known as the Harbor Maintenance Fund and these funds are used to do repairs. Not being a State agency, they can operate the agency like a business without going to the Governor's Council. Senator Stiles was made aware of the situation with the pier and replacement/improvements costs to be \$1.5 million. This project was taken to the legislature and the first piece passed and signed by Governor Hassen was the project. 362 feet of steel bulkhead was replaced and there were upgrades to utilities, lights, fuel, security system as well as additional improvements by putting in gangways.

Over \$500,000 is spent a year to maintain facilities. He noted the Army Corps of Engineers maintains outside the bridge in Hampton and Hampton maintains inside the bridge. Dredging was done in 2002, 2003, 2004, and 2006 and this is a never ending cycle. Partnering with the Army corps, a feasibility study was done which included stabilizing the clam flats. The Army Corps received Federal funding to put in a stabilizing wall. Problems were identified and the Army Corps looked at cost benefits and met the model they needed and required to assume responsibility for future maintenance of this, now, federal anchorage. They have assumed responsibility for the harbor inside the bridge. The Port Authority is still responsible for the area near the Hampton Marina and any dredging to be done will happen when the Army Corps is in place for their dredging project.

As of now, the Army Corps is responsible for all commercial anchorages; and the Port Authority is responsible for recreational anchorages. Mr. Nyhan stated that, looking at the Master Plan, a number of items have been accomplished by the Port Authority including dredging and new commercial docks. These are important items which Mr. Marconi and team made happen which is good news.

Mr. Nyhan explained that the HBAC is an Advisory Commission and has input into decisions, but cannot make them. Further, when looking at the entire beach, the Commission looks from the bridge to High Street which include recommendations made in the Master Plan. He spoke to the enhancement and beautification to impress people driving into Hampton from Seabrook. He noted the piece of land owned half by the Port Authority and half by DOT. He said the piece is "just there". There have been discussions about a crosswalk, and utilization of that piece of land for a type of art venue, which would continue to be owned by the two parties with rent being collected.

Further, it would create more of a park environment.

Mr. Marconi stated he works closely with municipalities and has met with consultants in Portsmouth. He stated the division is open to suggestions and, ultimately, any decisions are made with the PDA Board of Directors. Further the PDA can only enter into agreements lasting up to seven years, after that, have to be approved by the Governor and Governor's Council. He also noted the sliver of land is 60 feet from the center line on Ocean Boulevard and PDA Board would be open to ideas. He also stated that inquiries and requests from commercial businesses interested in putting in concession stands and the policy of the PDA is that those enterprises would have to support a boat business.

Mr. Nyhan asked Mr. Watson if there are any RSA's in DOT saying the land use can/cannot be used for any proposal. Mr Watson said he is not sure of any restrictions.

Mr. Nyhan suggested taking the proposal to PDA and DOT for consideration. It was noted that the Village District planted and maintained a garden with agreement by the Port Authority. This improved the visuals. He also asked Mr. Marconi whether there was much foot traffic, and Mr. Marconi responded that his staff reports that

typically there is not much walking traffic from the State Park across the street. Most people drive and park for a day trip.

There was discussion about who owns the building which contains pumps and other equipment. Mr. Marconi stated that there have been instances where people have said the Village Precinct owns and other times the Precinct said they do not own. When a storm washed out the wall a few years ago, the underground fuel tank was exposed. DRED went in and removed the tank and remediated the problem. Mr. Rage is unaware of who owns the building and said the building is an eyesore and should be taken down. .

Mr. Nyhan asked Mr. Marconi, in his opinion, if someone came in with an idea to tear down the pump house and clean the area, would there be issues. Mr. Marconi said the PDA is always open to proposals. Also, there are lots of people that want to locate on the properties and it is a balancing act how many structures are allowed on property and how they will impact parking. Nothing reasonable is off the table.

Mr. Preston commented that the new pier is beautiful and it is nice to see the PDA can work with Hampton fishermen; and, that Mr. Marconi is the man to run proposals before the PDA Board.

Mr. McMahon asked for a long term vision and where Mr. Marconi sees the port going from a recreational and commercial aspect. Mr. Marconi aid that the Statute requires the promotion and fostering use of waterways and development of commerce which support businesses that need water for commerce; but, on the other side business are in tough spots given the fisheries regulations, etc. Now there are regulations being made on closures and shut down's for party boats. He is concerned with how this will negatively impact them. The businesses are on the verge of being in crises and it is questioned how this will affect them. Mr Marconi also stated that when going to the legislature for fish pier money, they ask "why" if the fisheries are going to collapse. His job, he said, is to make sure facilities are maintained so when the fisherman come back to rebuilt stocks, the facilities won't be behind. Right now businesses are in trouble but the PDA wants to maintain safe and good operating conditions.

Charlie Preston stated that, in his opinion, there will be a push back if the area is changed, getting away from marine related businesses. He also commented that with truck/trailer traffic, DRED, DOT and the Port authority might want to consider a four-way intersection with wide enough turning lanes for the boats on trailers, also a crosswalk. Further, the entrance in front of the Ocean Wok could be dead-ended. He also noted that the Port Authority needs every space for boats and access and, looking at the beach, anything art – related could be moved to the lilac area or across the street.

Mr. Marconi said he would consider the intersection. He concluded by saying that this meeting and future discussions are needed. Mr. Marconi said he, and the Port Authority, want to be good neighbors and participate and compliment activities on the beach while maintaining their statutory charge.

CHAIRMAN'S REPORT:

1. Meeting Update – HBAC/HBVD/Chamber/Hampton Recreation

Mr. Nyhan reported on the meeting held December 3, 2014, at the Chamber of Commerce Building. Present were Mr. Nyhan, Mr. Noel, Mr. Rage, Mr. Reniere, Mr. Preston, and Dyana Martin. Mr. Nyhan provided the Commissioners with notes from the meeting. The various items are "works in progress" and more information will be provided to the HBAC in February or when updates as received.

Among the items discussed were:

WiFi on Hampton Beach. Mr. Rage stated that ATT has a pilot program working well in Virginia. This could be a possibility for Hampton Beach. ATT and the Virginia community are negotiating and it is possible that this could be a model for our use. Mr. Nyhan also pointed out that the Chamber Office on the beach has WiFi capability, but is, at this time, seasonal. Mr. Noel explained how the seasonal use is used with turn off in the fall and turn on in early spring. Mr. Nyhan said he is in the process of getting information from Verizon.

Commercial deliveries along Hampton Beach. This does not seem to be an issue with business people on the beach and further discussion on the subject will not be necessary.

Employees' remote parking ideas - survey. A one page survey is being sent out by the Chamber and results

will be provided. Questions will include whether businesses see this as an issue; if businesses would support a parking program with the State and Town; and would they be interested in supporting financially a down town/beach shuttle service. Beach businesses that are not members of the Chamber will be included in the survey.

Ashworth Parking Lot – ideas including drop-off point and bike racks. Ms. Martin is looking into a canopy and bike rack. She said she may be able to provide the bike racks; however, the canopies are expensive. Mr. Nyhan spoke of a fence area in the northeast corner of the Ashworth parking lot. This may be suitable for a sheltered drop-off area if the fence was removed by the Town. This will require more study.

2. Meeting Update – Follow up meeting with TEC Engineering

Mr. Nyhan reported he had a meeting with TEC in December and ideas were discussed. TEC has offered to do a conceptional design for a drop off point with bike racks and provide a visual for the HBAC to review. They will also entertain what it would require to put a third exit out of the Casino parking lot across from Brown Avenue. Many approvals would be necessary for this project. TEC also spoke to signage over the road or on the side with a “Welcome to Hampton” with the capability to have electronic advertising. The signage could also include parking information. TEC is very proactive and want to help the HBAC with efforts on the beach. An update will be provided to the Commission.

3. Postponement Request – Round Table Discussion. State and Local – Ocean Blvd

Mr. Nyhan said there is a transition going on at DOT and there are some elections in the future. It is important to have discussion but it is in the best interest to postpone until a later date.

4. Meeting Request – Executive Councilor Sununu re: NHDOT Ten Year Plan

Mr. Nyhan said it is time to speak with Councilor Sununu and move forward to a development level if seeking federal funds. This could move as a priority in order to learn his thoughts on the Ten Year Plan. Mr. Nyhan wants the Councilor to know we are staying on top of this and would welcome discussion. Also, Congressman Guinta's office called suggesting a meeting with one of his associates regarding securing funding for Ocean Boulevard.

5. Department of Revenue Request.

Mr. Nyhan reported that in November he sent a letter to the Department of Revenue asking for information on meal and room taxes. He received a response indicating a willingness to provide the information on state-wide figures for calendar years, but with respect to two of the three requests, the Department does not have the data.

The data not available is ranking of the top 25 communities in the state that has provided the most meals and room taxes and the a (1) amount or percentage collected from each community; and, (2) where does Hampton

rank within the NH communicates as it applies to the total amount of revenue coming from meals and rooms during the same time frame.

Mr. Nyhan said he cannot push this issue further; however, he has spoken with Senator Stiles and she is in the process of introducing legislation that would require the Department of Revenue to create and provide more information than is available now.

6. Meeting with Mr. Lupoli.

Mr. Lupoli's office responded to the invitation for Mr. Lupoli to attend an HBAC meeting; however, he is currently looking at options around his property over the next few years and will share his vision when the time is appropriate. He will get back to the Commission when he is prepared to discuss options.

TREASURER's REPORT – Mr. Housman.

Mr. Housman reported a balance of \$17,181.43 after payment of \$1,596.00 as the 20% share of the update of the Master Plan.

A payment request has been received by the Town of Hampton in the amount of \$731.00 for administrative services.

MOTION: It was moved by Mr Rage to approve payment to the Town of Hampton in the amount of \$731.00

for administrative services.

SECOND: Mr. Watson

VOTE: 7 in favor, 0 opposed, 1 excused, 1 absent

PASSED

MOTION

OLD BUSINESS:

1. Transportation Grant Update.

Mr. Watson reported that Mr Rose put together a summary for the Commission's information. A copy of the December 2014 Progress Status Report was provided. He stated that work on the project has begun and that VHB received formal notice to proceed with their contracted tasks on 11/20/14, putting together existing conditions. He outlined the tasks that have been engaged which include:

- Base map has been completed for project area;
- Majority of roadway inventory is complete;
- Majority of the Bike/Ped amenity inventory is complete;
- Traffic volume data collected this past summer season has been processed;
- Existing conditions network model simulation development is underway;
- Outreach to RPC for available data underway; and
- Sub consultant contracts are in process for transit & urban design analysis.

The Commission is reminded that attendance and participation should be tracked going forward to ensure adequate match is available to the project and certifiable to the Federal Highway Administration in March.

Mr. Watson said he would provide the numbers to ensure progress is being made regarding the match.

2. Other Old Business – There was no other old business.

NEW BUSINESS:

1. **2015 Election of HBAC Officers.** Mr. Nyhan said he had reviewed the RSA, which seemed vague on the matter of the election of Chairman, Vice Chairman, and Secretary/Treasurer. He asked if the Commissioners were in agreement to move forward with the same officers as those now serving.

MOTION: Mr. Preston moved to close nominations and approve the Officers as serving and submitted:

John Nyhan as Chairman

Bill Watson as Vice Chairman

Michael Housman as Secretary / Treasurer.

SECOND: Mr Merrill

VOTE: 7 in favor, 0 opposed, 1 excused, 1 absent

MOTION PASSED

2. **Approval of the 2014 Annual Report.**

Mr. Nyhan provided the Commissioners with a copy of the 2014 Annual Report of the HBAC. There were no comments.

3. **Other New Business.**

- a. Mr. Rage suggested the Pledge of Allegiance be said at the beginning of each meeting.
- b. Mr. Bachand, Town Planner, reported on a number of items:

Rockingham County Planning Commission will be scheduling a presentation to the Board of Selectmen with regard to the 101 interchange and ridership for a beach shuttle. Date and time will be provided.

He also spoke of the flood plain amendment and said that Ms. Jennifer Gilbert would attend an HBAC meeting in the future to report on the amendment.

Mr. Bachand also reported that there will be information on the Community Rating System and research on what we might doing now on meeting the commercial rating requirements.

Mr. Nyhan requested that Mr. Bachand keep his eyes open and watch for notices from the State, Federal in terms of any types of proposals, approvals, etc. for funding. If appropriate, the HBAC could partner with the Town regarding grants.

- c. Mr. Watson stated there is a new leadership team within the DOT and the Ten Year Plan update should be starting with solicitation letters going to the communities.

- d. Mr. Rage reported that the HBVD will meeting on February 11th at the Village Fire Station.

ADJOURNMENT:

Motion: Mr. Merrill moved to adjourn the meeting at 8:21 p.m.

Second: Mr. Preston

Vote: 7 in favor, 0 opposed, 1 excused, 1 absent

MOTION PASSED

Thank You to Channel 22 for recording and the HBVD for use of the meeting room.

THE NEXT HBAC MEETING WILL BE HELD ON Thursday, February 26, 2015

Respectfully Submitted: Anne Marchand, Secretary